

EXHIBIT A

right?

A. At the time, yes.

Q. Okay. Is that, in fact, how this played out?

A. No, it's not.

Q. What, in fact, happened from your perspective?

A. The industry created a surplus within the next two years once the program was implemented.

Q. So there was an original -- there was initially a short-term supply impact when you take a bird out of a cage, correct?

A. Correct.

Q. And what was that overall impact on the marketplace in terms of the number of eggs?

A. A decrease.

Q. And Mr. Adams, at this time in '03, thought there would be four or five years of this, correct?

A. Yes, sir.

Q. And what happened quicker than what Mr. Adams said?

A. Producers expanded and remodeled and produced more eggs.

Q. And did prices reflect that?

A. Yes, they did.

MR. COLLINS: Could I go to Demonstrative 2.

BY MR. COLLINS:

Q. Mr. Baker, is your job as president, do you regularly watch and look at data on inflation-adjusted prices of shell

eggs?

A. Yes.

Q. How often do you do that?

A. Weekly.

Q. And have you done that since 1998?

A. Yes, sir.

Q. And did you do that through 2008?

A. Yes, sir.

MR. COLLINS: Your Honor, I'd ask for permission to publish Demonstrative 2 just for demonstrative purposes.

MR. FOX: We have an objection, Your Honor.

THE COURT: All right. Do you need to be heard?

MR. FOX: Yes, Your Honor.

THE COURT: All right. Very good.

(Proceedings heard at sidebar on the record.)

THE COURT: All right. Can everybody hear me?

MR. FOX: Yes, Your Honor.

THE COURT: All right. So this is a --

Demonstrative 2. Is this a slide from opening -- I think, and this is from the plaintiffs' opening or defense opening? From Cal-Maine's opening, okay.

Do you want to make a proffer to me, Mr. Collins.

MR. COLLINS: I was just laying a foundation of Mr. Baker is going to authenticate this as accurate depiction of prices of eggs, shell egg market, which is his business.

MR. COLLINS: ?

BY MR. COLLINS:

Q. Mr. Baker, as president of your Cal-Maine, is one of your duties to monitor the supply picture for the egg industry and Cal-Maine in particular?

A. Yes.

Q. Is one of your jobs also to monitor the price for which you sell shell eggs?

A. Yes, sir.

Q. And how do you receive that information?

A. Urner Barry.

Q. How often do you receive that information?

A. Daily.

Q. And in what format?

A. Their daily market quote.

Q. And do you monitor and have you monitored it for the last ten years?

A. Probably -- yes.

Q. When you say probably?

A. At least ten.

Q. Okay. And looking at the chart, does the chart accurately reflect directionally the prices of eggs during that time period?

A. Yes, sir.

MR. COLLINS: Your Honor, based on that --

THE COURT: All right, with that foundation I'll let you publish it to the jury.

And Mr. Fox can follow up with the jury.

All right. So let's -- I want that Q and A read back.

(The record was read as requested.)

THE COURT: All right. With that foundation, I'll let you publish to the jury.

Folks, this is a demonstrative. It's not evidence. Remember we talked about that before. You're going to see some things in the jury room that are admitted into evidence. Some charts and illustrations are just to depict the evidence that you hear. This is not evidence. It's not intended to be evidence. It's just to help you understand what you're hearing.

You're going to see a lot of expert testimony in the case and hear expert testimony. They're going to really be the people that are going to talk about prices, but this is just an illustration of some of the testimony that you'll hear.

So go ahead.

MR. COLLINS: Thank you, Your Honor.

BY MR. COLLINS:

Q. Mr. Baker, there's been testimony in this case when supply goes down, prices go up, supply goes up, prices go down,

correct?

A. Correct.

Q. And there was discussion about an elastic?

A. Yes, sir.

Q. And that's what you live, right?

A. Yes, sir.

Q. You testified just a few moments ago that there was a short-term impact in the marketplace due to the animal welfare program, from your perspective; is that right?

A. That's correct.

Q. Can you point by reference to the year, when do you believe that impact reflected itself in the pricing in the shell egg market?

A. In 2002 and '3 and the end of 2003.

Q. And you see the highest price -- and I'm not going to focus on specific dollar numbers and precision, but directionally, sir, the peak of that period looks like it's around 2000 -- end of '3, start of '4. Do you see that peak?

A. Yes, sir.

MR. FOX: Objection, Your Honor, can we have a sidebar, please.

THE COURT: Yeah. We'll do a sidebar.

(Proceedings heard at sidebar on the record.)

THE COURT: Mr. Fox.

MR. FOX: The way that Mr. Collins is using this is